

030. The EA closing report clearly states that "the evidence does not support a conclusion that a safety defect exists" and that "it does not appear that further investigation would result in an enforceable defect finding." NHTSA finds no information in the subject petition that demonstrates that these conclusions should be withdrawn or modified.

Petitioner's September 14, 1994, submission entitled "Supplemental Information Relevant to Safety Recall Petition" questions the accuracy of the number of incidents (230) reported by Ford to NHTSA during the pendency of EA92-030, in part on the basis of numbers of power steering system parts sales reported in the EA Closing Report, and in part on the basis of alleged under-reporting by Ford with respect to another ODI investigation (EA93-033). These allegations appear to be speculative, and seem to be based solely on petitioner's opinions, inferences, beliefs, and grossly unscientific extrapolations of data that, in and of themselves, are questionable. In the absence of factual and reliable information, NHTSA views these allegations of under-reporting by Ford to be without substance.

The data from the NFIRS listing does not provide compelling evidence that NHTSA should expand its investigation of this matter. While the incidents listed are identified as engine compartment fires, there is no evidence that the leakage and ignition of power steering fluid was in any way the cause of these incidents. On the contrary, NHTSA finds no apparent source of ignition of any such fluid that may leak in those vehicles equipped with 2.5 liter or 3.0 liter engines. Analyses of the NFIRS data discloses that the 3.0 liter models of the subject vehicles have experienced a relatively low engine compartment fire incidence, for all causes. In the case of the relatively small population of vehicles equipped with 2.5 liter engines, the incidence of engine compartment fires does appear to be high. The absence of an apparent source of ignition for power steering fluid that may leak, however, indicates that other failures or malfunctions are more likely to be the cause of the fires. On this basis, even if NHTSA were to consider this matter as a potential issue for investigation, it would be a separate investigation unrelated to the prior investigation of power steering fluid-fed fires in vehicles with 3.8 liter engines.

The petition fails to present any substantive, significant, or new information of NHTSA's consideration regarding the request to reopen EA92-030. Similarly, no new evidence has

been discovered through any other source to justify reopening that investigation.

NHTSA recognizes that engine compartment fires create a serious safety problem. Manufacturers have consistently conducted safety recalls to remedy problems that lead to such fires, often in cases with a lower fire rate than that experienced by these Ford vehicles. Unfortunately, the available data indicates that the vast majority of these fires occurred after maintenance or repair work had been performed by Ford dealers or other maintenance facilities. NHTSA cannot compel dealers to conduct a safety recall and, under these circumstances, cannot compel Ford to remedy problems created by its dealers. Nevertheless, NHTSA has urged Ford on several occasions to take action to reduce the likelihood of engine compartment fires in these vehicles by notifying owners of the problem and bearing the expenses of repairs to correct the condition that can lead to such fires. To date, Ford has refused to do so.

In consideration of the available information, NHTSA has concluded that there is not a reasonable possibility that an order concerning recall and remedy of a safety-related defect in relation to the petitioner's allegations would be issued at the conclusion of an investigation. Further commitment of resources to reopen this investigation does not appear to be warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: February 1, 1995.

William A. Boehly,

Associate Administrator for Enforcement.

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Maritime Administration

[Docket S-917]

Notice of Application for Written Permission Pursuant to Section 805(a) of the Merchant Marine Act, 1936, as amended; Waterman Steamship Corporation

Central Gulf Lines, Inc. (Central Gulf), a U.S. corporate affiliate of Waterman Steamship Corporation (Waterman), by letter of January 26, 1995, requests written permission pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act), and Waterman's Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB-450, to operate the U.S.-flag S/S ENERGY INDEPENDENCE (Vessel),

Official Number 657540, in the coastwise trade of the United States. Central Gulf states that it has agreed to purchase the Vessel from New England Power Company (New England Power) and, in turn, own and operate the Vessel beginning on or about May 1, 1995 under time charter to New England Power for a term of fifteen years.

New England Power, which is headquartered in Westborough, Massachusetts, generates and transmits electricity to consumers in the New England area, including Vermont, New Hampshire, Rhode Island and Massachusetts. In addition, it regularly purchases coal for transportation by ship from east coast ports of the United States to its harbor side facilities located in Massachusetts.

According to Central Gulf, the Vessel will transport New England Power's proprietary cargo in the coastwise trade from points along the east coast of the United States to Brayton Point, Massachusetts or Salem, Massachusetts. At other times during the fifteen years, the Vessel may carry cargo in the coastwise trade of the United States for account of other clients of Central Gulf as yet undetermined. Central Gulf states that it may also operate the Vessel in the foreign trade from time to time for yet undetermined charterers.

The Vessel is a 38,234 long tons total deadweight capacity self-unloading bulk carrier with a coal and/or oil-fired steam turbine main engine and an inclined lift conveyor system. It was built by General Dynamics Corporation in Quincy, Massachusetts in 1983 and has been documented under the laws of the United States since that time. Central Gulf maintains that as a U.S. built, U.S. flag, U.S. owned and U.S. citizen-crewed vessel, the Vessel is coastwise-qualified within the meaning of section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), popularly known as the Jones Act. It is also uniquely capable of transporting New England Power's cargo requirements, Central Gulf adds.

Central Gulf emphasizes that it will continue to function as a discrete corporate entity having entirely separate financial records and accounts, and that the operating and accounting activities of Central Gulf are, and will continue to be, entirely separate from the operating and accounting activities of Waterman.

Central Gulf believes that its instant application clearly warrants MARAD approval and section 805(a) permission should be granted until the expiration date of Waterman's ODS contract, which expires on December 31, 1996.

The application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm or

corporation having any interest (within the meaning of section 805(a)) in Waterman's request and desiring to submit comments concerning the request must by 5:00 PM on February 22, 1995, file written comments in triplicate with the Secretary, Maritime Administration, together with petition for leave to intervene. The petition shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petition for leave to intervene is received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operations (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 20.805 (Operating-Differential Subsidies))

Dated: February 6, 1995.

By order of the Maritime Administrator.

Murray A. Bloom,

Acting Secretary.

[FR Doc. 95-3302 Filed 2-8-95; 8:45 am]

BILLING CODE 4910-81-P

National Highway Traffic Safety Administration

[Docket No. 95-007; Notice 1]

Antilock Brake Systems; Technical Report; Preliminary Evaluation of the Effectiveness of Antilock Brake Systems for Passenger Cars

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Request for comments.

SUMMARY: This notice announces the publication by NHTSA of a Technical Report on its *Preliminary Evaluation of the Effectiveness of Antilock Brake Systems for Passenger Cars*. The principal goals of ABS are to prevent skidding and loss-of-control due to locked-wheel braking, and to allow a driver to steer the vehicle during hard braking. NHTSA's report evaluates the accident rates of the ABS-equipped cars

currently on the road, and compares them to the accident rates of similar cars without ABS.

DATES: Comments must be received no later than May 10, 1995.

ADDRESSES: *Report:* Interested people may obtain a copy of the report free of charge by sending a self-addressed mailing label to Ms. Glorious Harris (NAD-51), National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

Comments: All comments should refer to the docket and notice number of this notice and be submitted to: Docket Section, Room 5109, Nassif Building, 400 Seventh Street, SW, Washington DC 20590. [Docket hours, 9:30 a.m.-4:00 p.m., Monday through Friday.]

FOR FURTHER INFORMATION CONTACT: Mr. Charles J. Kahane, Acting Chief, Evaluation Division, Office of Strategic Planning and Evaluation, Plans and Policy, National Highway Traffic Safety Administration, Room 5208, 400 Seventh Street, SW, Washington, DC 20590 (202-366-2560).

SUPPLEMENTARY INFORMATION: Section 2507 of the NHTSA Authorization Act of 1991 directed NHTSA to publish an advance notice of proposed rulemaking (ANPRM) to consider the need for any additional brake performance standards for passenger cars, including antilock brake standards. On January 2, 1994, NHTSA published an ANPRM in which the agency announced its plans to consider various regulatory actions to improve the brake performance of light vehicles, particularly the benefits and costs related to requiring antilock brake systems (ABS). (59 FR 281). ABS serves to prevent skidding and loss-of-control due to locked-wheel braking, particularly on wet surfaces, and to allow a driver to steer the vehicle during hard braking.

Along with that rulemaking notice, NHTSA has studied the effectiveness of ABS on passenger cars. NHTSA compared the accident involvement rates of passenger cars equipped with Antilock Brake Systems (ABS) to the rates of counterpart cars without ABS, based on 1990-92 Florida, Pennsylvania and Missouri data, and the 1989-93 Fatal Accident Reporting System. In general, the statistical analyses compared the accident involvements of passenger cars of the first 2 model years with ABS to cars of the same makes, models and subseries, but from the last 2 model years before ABS became standard equipment. The principal findings and conclusions from the statistical analyses of accident experience of cars currently equipped with ABS were the following:

- ABS significantly reduced the involvements of passenger cars in multivehicle crashes on wet roads. ABS reduced police-reported crash involvements by an estimated 14 percent, and fatal involvement by 24 percent. The finding is consistent with the outstanding performance of ABS in stopping tests on wet roads.

- ABS had little effect on multivehicle crashes on dry roads.

- The risk of fatal collisions with pedestrians and bicyclists was reduced by a statistically significant 27 percent in passenger cars with ABS. Unlike the effects for multivehicle crashes, this reduction was about equally large on wet and dry roads.

- All types of run-off-road crashes—rollovers, side impacts with fixed objects and frontal impacts with fixed objects—increased significantly with ABS. Nonfatal run-off-road crashes increased by an estimated 19 percent, and fatal run-off-road crashes by 28 percent. The increase in run-off-road crashes was about the same under wet and dry road conditions.

- The overall, net effect of ABS on fatal as well as nonfatal crashes was close to zero.

It is unknown to what extent the increase in run-off-road crashes is a consequence of ABS, or is due to other causes. In particular, it is unknown to what extent, if any, the increase is due to incorrect responses by drivers to their ABS systems, and, if so, whether the effect is likely to persist in the future. The increase may involve all types of ABS run-off-road ABS or only certain ABS designs.

NHTSA welcomes public review of the technical report and invites the reviewers to submit comments about the data and the statistical methods used in the report. The agency is interested in learning of any additional data that could be used to expand or improve the analyses, especially any information about run-off-road crashes involving ABS-equipped cars or about factors that could be making current ABS-equipped cars more prone to running off the road. It is requested but not required that 10 copies of comments be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality business information, should be submitted to the Chief Counsel, NHTSA, at the street address